



PATENT  
Customer No. 22,852  
Attorney Docket No. 1142.0081-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Kathleen H. YOUNG *et al.* )  
Application No.: 09/556,390 ) Group Art Unit: 1636  
Filed: April 24, 2000 )  
For: NOVEL CELL SYSTEMS )  
HAVING SPECIFIC )  
INTERACTION OF PEPTIDE )  
BINDING PAIRS )

RECEIVED

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

OCT 22 2003

TECH CENTER 1600/2900

Sir:

TERMINAL DISCLAIMER

Assignee, American Cyanamid Company, duly organized under the laws of Maine and having its principal place of business at Five Giralda Farms, Madison, New Jersey 07940, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, application no. 09/556,390, filed April 24, 2000, for Novel Cell Systems Having Specific Interaction of Peptide Binding Pairs in the names of Kathleen H. Young and Jian Cao, as indicated by an assignment duly recorded in the United States Patent and Trademark Office ("USPTO") at Reel 010963, Frame 0487, on July 28, 2000, a document evidencing a change in name from American Home Products Corporation to Wyeth recorded in the USPTO at Reel 012828, Frame 0928, on April 12, 2002, and an assignment from Wyeth to American

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10/20/2003 SSITHI 00000012 09556390

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Cyanamid Company recorded in the USPTO at Reel 013704, Frame 0731, on January 30, 2003. Assignee, American Cyanamid Company, further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 5,989,808 and copending application no. 09/714,258 as indicated by an assignment duly recorded in the USPTO at Reel 7189, Frame 0943, on September 6, 1994.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 5,989,808 and the patent that issues from application no. 09/714,258. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of prior U.S. Patent No. 5,989,808 and the patent that issues from application no. 09/714,258, as presently shortened by any terminal disclaimer, in the event that the prior patents later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or in part, are terminally disclaimed under 37 C.F.R. § 1.321, have all claims canceled by a reexamination

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certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.


If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
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Dated: October 15, 2003

By:   
Steven P. O'Connor  
Reg. No. 41,225

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